

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREATER ST. LOUIS CONSTRUCTION)	
LABORERS WELFARE FUND, et al.,)	
)
Plaintiffs,)	
)
vs.)	Case No. 4:07CV1366 RWS
)
MID-STATES WRECKING CO., et al.,)	
)
Defendants.)	

MEMORANDUM AND ORDER

In this lawsuit Plaintiffs seek to collect fringe benefit contributions owed under a collective bargaining agreement. Plaintiffs have moved for partial summary judgment against Defendant Mid-States Wrecking in the total amount of \$10,189.98, consisting of \$8,155.98 in fringe benefit contributions and \$2,034.00 in liquidated damages. Plaintiffs also seek an order requiring Mid-States Wrecking to submit its contribution report forms for the months of September and October 2007 and April 2008 to date.

Mid-States Wrecking does not oppose Plaintiffs' motion for partial summary judgment.

In addition, Plaintiffs seek an order compelling Mid-States Wrecking to submit to a financial examination for the period of January 2, 2007 to the present. Plaintiffs request the financial examination to determine the amounts owed to them by Mid-States Wrecking. The collective bargaining agreement to which Mid-States Wrecking is a party authorizes Plaintiffs to conduct a financial examination.

Mid-States Wrecking has not filed a response to this motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' motion for partial summary judgment in the amount of \$10,189.98 [#25] is **GRANTED**.

IT IS FURTHER ORDERED that Mid-States Wrecking shall submit its contribution report forms for the months of September and October 2007 and April 2008 to date to Plaintiffs no later than **January 9, 2009**.

IT IS FURTHER ORDERED that Plaintiffs' motion to compel an accounting [#28] is **GRANTED**. Mid-States Wrecking shall allow Plaintiffs to conduct a financial examination of Mid-States Wrecking for the period of January 2, 2007 to the present no later than **January 9, 2009**.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 9th day of December, 2008.